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# FAX TRANSMISSION

DATE: July 21, 2008

PTO IDENTIFIER: Application Number 10/554,038-Conf. #8321  
Patent Number

Inventor: Luciano Adorini et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: EDWARDS ANGELL PALMER &amp; DODGE LLP

Dwight D. Kim, Ph.D.

PHONE: (617) 517-5588

Attorney Dkt. #: 59756CON(49949)

PAGES (Including Cover Sheet): 19

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Transmittal (1 page)  
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Certificate of Transmission (1 page)

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PTO/SB/97 (09-04)

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Application No. (if known): 10/554,038

Attorney Docket No.: 59766CON(49949)

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Fax Cover Sheet (1 page)  
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PTO/SB/17 (10-07)

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<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <b>FEE TRANSMITTAL</b> <b>For FY 2008</b>		<b>Complete if Known</b>	
		Application Number	10/554,038-Conf. #8321
		Filing Date	October 19, 2005
		First Named Inventor	Luciano Adorini
		Examiner Name	Not Yet Assigned
		Art Unit	1614
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	59756CON(49949)
TOTAL AMOUNT OF PAYMENT		(\$ 65.00)	

**METHOD OF PAYMENT** (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify): _____
<input checked="" type="checkbox"/> Deposit Account		Deposit Account Number: 04-1105		Deposit Account Name: Edwards Angell Palmer & Dodge LLP
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments		

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
-	=	x	=

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
-	=	x	=

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)
-	-
50	25
210	105
370	185

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
-	-	-	-	-

- 100 = \_\_\_\_\_ /50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

Fees Paid (\$)

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1051 Surcharge-Late oath or declaration

65.00

SUBMITTED BY	<i>Dwight</i>		Registration No. (Attorney/Agent)	57,865	Telephone	(617) 517-5588
Signature			Date	July 21, 2008		
Name (Print/Type)	Dwight D. Kim, Ph.D.					

BOS2 685168.1

PAGE 3/19 \* RCVD AT 7/21/2008 3:30:32 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/39 \* DNI:2738300 \* CSID: \* DURATION (mm:ss):04:20

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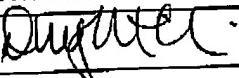
Total Number of Pages in This Submission

Application Number	10/554,038-Conf. #8321
Filing Date	October 19, 2005
First Named Inventor	Luciano Adorini
Art Unit	1614
Examiner Name	Not Yet Assigned
Attorney Docket Number	59756CON(49949)

## ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):  Part 2 Copy of Notice Declaration and Power of Attorney Request for Corrected Filing Receipt Official Filing Receipt
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	EDWARDS ANGELL PALMER & DODGE LLP		
Signature			
Printed name	Dwight D. Kim, Ph.D.	Reg. No.	57,665
Date	July 21, 2008		

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PAGE 4/19 \* RCVD AT 7/21/2008 3:30:32 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/39 \* DNI:2738300 \* CSID: \* DURATION (mm:ss):04-20

Application No.: 10/554,038

1

Docket No.: 59756CON(49949)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Luciano Adorini et al.

Application No.: 10/554,038

Confirmation No.: 8321

Filed: October 19, 2005

Art Unit: 1614

For: GEMINI VITAMIN D3 COMPOUNDS AND  
METHODS OF USE THEREOF

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed June 27, 2008, Applicant respectfully submits a Combined Declaration and Power of Attorney, Request for Corrected Filing Receipt and Part 2 Copy of Notice.

Please charge our Deposit Account No. 04-1105 in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(f). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 59756CON(49949). A duplicate copy of this paper is enclosed.

Dated: July 21, 2008

Respectfully submitted,

By Dwight D. Kim

Dwight D. Kim, Ph.D.

Registration No.: 57,665  
EDWARDS ANGELL PALMER & DODGE LLPP.O. Box 55874  
Boston, Massachusetts 02205  
(617) 517-5588  
Attorneys/Agents For Applicant07/22/2008 PCOMP 00000038 041105 10554038  
01 FC:2051 65.00 DA

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JUL 21 2008

APPLICATION NUMBER*	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/554,038	10/19/2005	Luciano Adorini	59756DIV1(49949) CONFIRMATION NO. 8321

21874  
EDWARDS ANGELL PALMER & DODGE LLP  
P.O. BOX 55874  
BOSTON, MA 02205



OC000D00030703085

Date Mailed: 06/27/2008

FORMALITIES LETTER

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.

*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*

Replies should be mailed to:

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

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/nhnguyen/

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Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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